

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America

v.

Donald Dean

Case: 2:19-mj-30399

Assigned To : Unassigned

Assign. Date : 7/26/2019

Description: RE: DONALD DEAN  
(EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 2011 - December 2018 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section*

*Offense Description*

18 U.S.C. § 1344

18 U.S.C. § 641

Bank Fraud

Theft of Government Funds

This criminal complaint is based on these facts:

See attached.

☒ Continued on the attached sheet.

*Kathryn Krieg*  
Complainant's signature

Kathryn Krieg, Special Agent, SSA/OIG

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/26/2019

City and state: Detroit, MI

*Mona K. Majzoub*  
Judge's signature

Mona K. Majzoub, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF  
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, **KATHRYN KRIEG**, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

- 1) I am a Special Agent with the Social Security Administration, Office of Inspector General, Office of Investigations (SSA/OIG/OI), assigned to the Chicago Field Division, Detroit Sub-Office and have been so employed since August of 2010. During that time, I have conducted investigations of fraud, waste, and abuse of benefit programs administered by the SSA. I hold a Bachelor of Science in Criminal Justice and Psychology from Southern Illinois University-Edwardsville, and a Masters of Public Administration from the University of Michigan-Dearborn. I am a graduate of the Federal Law Enforcement Training Center. In connection with my official duties as a special agent, I investigate violations of federal law, including but not limited to Title 18 U.S.C. § 641 (theft of government funds). I am authorized to execute warrants and make arrests.
- 2) I have been assigned to an investigation concerning the alleged theft of SSA funds by DONALD DEAN, in violation of various federal statutes, to include: 18 U.S.C. §1344 (Bank Fraud) and 18 U.S.C. § 641 (Theft of Government Funds). I have prepared this affidavit in support of a criminal complaint and arrest warrant for DEAN.
- 3) The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable

cause for the requested complaint and warrant and does not set forth all of my knowledge about this matter.

- 4) Based on my investigation thus far, there is probable cause to believe that DONALD DEAN did knowingly and intentionally violate: Title 18 U.S.C. § 1344, by executing and attempting to execute a scheme and artifice to obtain money under the custody and control of a financial institution; and Title 18 U.S.C. § 641, by unlawfully retaining and converting to his own use SSA benefits that were erroneously paid in the name of his mother, after his mother's death.

#### **PROBABLE CAUSE**

- 5) In or around January 2019, the SSA/OIG/OI received an allegation from an SSA employee concerning SSA beneficiary C.D. The SSA had been attempting to contact C.D. as part of an anti-fraud effort known as the Medicare Non-Utilization Project. Under this project, the agency tries to make contact with elderly individuals who have not used their Medicare insurance in at least 2 years, as this non-usage often correlates with a beneficiary being deceased. When C.D. did not respond to any of the agency's letters, the matter was referred to SSA/OIG/OI for further investigation.
- 6) During my investigation, I obtained a state of Michigan death certificate confirming that C.D. died on December 28, 2011, at her home in Detroit, MI. DEAN is listed as both the informant on C.D.'s death certificate, and as C.D.'s next of kin on the Wayne County Medical Examiner's report.

- 7) SSA records show that C.D. was receiving SSA, Title II, Retirement Insurance Benefits (RIB). Because C.D.'s death was never reported to SSA, these benefits continued to be paid until recently.
- 8) Since 1993 the benefits were paid, via direct deposit, into Bank of America checking account number \*\*\*\*\*7326, with C.D. listed as the sole account holder. C.D.'s address on file with the bank matched the address on both her record with SSA and her death certificate.
- 9) Despite her death in December 2011, there were multiple checks written off C.D.'s account between April 2012 and February 2016. Further, all of these checks appear to have been signed by "C.D."
- 10) Of these checks purportedly signed by "C.D.", several were paid to the order of Donald DEAN. On the back of these checks, there is a signature for Donald DEAN, along with the number from a now-expired California driver's license assigned to DEAN.
- 11) The checks written from C.D.'s account to DEAN are as follows:
  - a) November 13, 2012, a \$700 check for "Garage Repair."
  - b) December 4, 2012, a \$700 check for "Garage repair 2<sup>nd</sup> payment."
  - c) December 17, 2012, a \$400 check for "Xmas shopping."
  - d) January 5, 2013, a \$700 check for "Household."
  - e) January 14, 2013, a \$450 check for "Household Repairs."
  - f) January 22, 2013, a \$400 check for "Household."
  - g) January 28, 2013, a second \$400 check for "Household."
  - h) February 6, 2013, a third \$400 check for "Household."
  - i) February 15, 2013, a fourth \$400 check for "Household."

- j) March 4, 2013, a fifth \$400 check for “Household.”
  - k) March 25, 2013, a \$600 check for “Household.”
  - l) April 12, 2013, yet another \$400 check for “Household.”
- 12) There have also been regular, cash withdrawals from the account across the entire period covered by the bank records. Bank of America was able to provide video footage for a number of recent, ATM withdrawal transactions. All of the videos show the same individual—an older black male, with a beard, who frequently wore the same distinctive winter hat. Based on a comparison of the video footage to the Donald DEAN’s current Michigan driver’s license photo, I believe the individual shown in these videos to be DEAN. Likewise, the same vehicle was shown to be driven in all of the videos—a 1994 Plymouth Voyager van, titled to C.D. at her last known address.
- 13) The dates and amounts of transactions where I believe video footage depicts DEAN making withdrawals from C.D.’s account are as follows:
- a) November 8, 2018, a \$100 withdrawal.
  - b) December 5, 2018, a \$500 withdrawal.
  - c) December 8, 2018, a \$500 withdrawal.
  - d) December 13, 2018, a \$100 withdrawal.
  - e) January 4, 2019, a \$700 withdrawal.
  - f) January 6, 2019 a \$500 withdrawal.
  - g) January 13, 2019, a \$40 withdrawal.
- 14) On March 18, 2019, I drove by C.D.’s last known address. This is the same address as depicted on DEAN’s current Michigan driver’s license (issued in November 2015), and is also DEAN’s address of record with SSA as of June

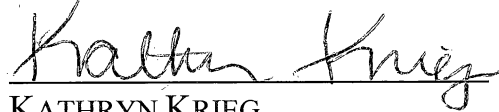
2014. The above-referenced Plymouth Voyager van, titled to C.D. and depicted in the ATM videos, was parked in the driveway.

- 15) Also of significance, C.D.'s last known address/DEAN's most-recently known address received residential electric service through DTE between October 15, 1973, and June 21, 2018. This DTE account was in C.D.'s name; however, DEAN is listed on checking accounts that made payments to this DTE account in both December 2017 and January 2018. Likewise, DEAN also made a payment to the DTE account in January 2015 via Western Union. Finally, payments were made to the DTE account in 2013, 2014, 2015, and 2016 via checks drawn on the Bank of America account into which C.D.'s SSA payments were being made, with the checks again being purportedly signed by C.D.


### **CONCLUSION**

- 16) Accordingly, based upon my training, experience, and the facts set forth in this Affidavit, there is probable cause to believe that DEAN has knowingly and intentionally violated: 18 U.S.C. § 1344 (Bank Fraud) by writing checks to himself from his mother's Bank of America account, after her death, in order to obtain SSA benefit monies that continued to be deposited into that account; and 18 U.S.C. § 641 (Theft of Government Funds) by making regular ATM withdrawals from the same account, again in order to obtain SSA benefit monies that continued to be deposited after the death of the account-holder.

I, KATHRYN KRIEG, Special Agent with the Social Security Administration, Office of the Inspector General, Office of Investigations, being duly sworn according to law, hereby affirm that the facts stated in the foregoing affidavit are true and accurate to the best of my knowledge, information and belief.

  
KATHRYN KRIEG  
Special Agent, SSA/OIG/OI

Subscribed and sworn to before me  
this 26th day of July, 2019.



MONA K. MAJZOUB  
United States Magistrate Judge